

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-CO-110-2014-0009-DNA

CASEFILE/PROJECT NUMBER:

COC-60831: BCU 542-30-198, BCU 23-30-198 (BCU 33-30-198 well pad)
COC-62586: BCU 24-36-199, BCU 44-35-199 (BCU 24-36-199 well pad)
COC-76363: Bargath's natural gas pipeline ROW for BCU 33-30-198
COC-76364: Bargath's natural gas pipeline ROW for BCU 24-36-199

PROJECT NAME: WPX BCU Pads 33-30-198 and 24-36-199

LEGAL DESCRIPTION:

BCU 33-30-198: T1N, R98W, Sec.30, NWSE
BCU 24-36-199: T1N, R99W, Sec.36, SWSW

APPLICANT: WPX Energy Rocky Mountain, LLC (WPX)

DESCRIPTION OF PROPOSED ACTION: WPX proposes to construct the Barcus Creek Unit (BCU) 33-30-198 well pad and drill, operate, and maintain the following two wells from the surface location: BCU 542-30-198 and BCU 23-30-198 (Figures 1 and 2). Table 1 below lists disturbance values related to each type of infrastructure and phase of development.

Table 1. Surface Disturbance Associated with BCU 33-30-198

	Disturbance in Acres During Construction Phase	Disturbance in Acres During Production Phase	Disturbance in Acres Following Abandonment- All disturbance to be completely reclaimed following final abandonment.
5,900ft access road with 30ft construction width and 25ft travel width	4.06	3.38	0
2,900ft gas and water lines with 40ft total permanent ROW width	2.66	0 (pipeline will be completely reclaimed after installation)	0
Well Pad	7.84	1.33	0
Total	14.56	4.71	0

In addition, WPX proposes to construct the Barcus Creek Unit (BCU) 24-36-199 well pad and drill, operate, and maintain the following four wells from the surface location: BCU 44-35-199, and BCU 24-36-199. Table 2 below lists disturbance values related to each type of infrastructure and phase of development.

Table 2. Surface Disturbance Associated with BCU 24-36-199

	Disturbance in Acres During Construction Phase	Disturbance in Acres During Production Phase	Disturbance in Acres Following Abandonment- All disturbance to be completely reclaimed following final abandonment.
190ft access road with 30ft construction width and 25ft travel width	0.13	0.11	0
3,900 gas and water lines with 70ft total ROW which includes road construction area	3.58	0 (pipeline will be completely reclaimed after installation)	0
Well Pad	7.11	1.52	0
Total	10.82	1.63	0

Total surface disturbance associated with the two proposed well pads is 25.38 acres with 6.34 acres of disturbance remaining throughout the production phase.

Design Features: The Surface Use Plan for the BCU 33-30-198 and BCU 24-36-199 well pads provide detailed and specific design features.

Decision to be Made: The BLM will decide whether or not to approve the construction of two well pads, and the associated road and pipeline infrastructure. The BLM will also decide whether or not to approve the drilling, operations, and maintenance of the six proposed wells on these two locations, and if so, under what conditions.

PLAN CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-5

Decision Language: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: June 1996

Name of Document: DOI-BLM-CO-110-2012-0140-EA

Date Approved: 2/13/2013

NEPA ADEQUACY CRITERIA:

1. Is the Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

The anticipated impacts that would result from constructing the proposed well pad locations and the associated road and pipeline infrastructure, in addition to drilling the proposed natural gas wells at these sites, are similar to the anticipated impacts that were addressed and mitigated in the existing NEPA document (DOI-BLM-CO-110-2012-0140-EA). The existing NEPA document DOI-BLM-CO-110-2012-0140-EA (signed on 2/13/2013) reviewed anticipated impacts associated with the construction of WPX's 442-36-199 well pad location and associated road and pipeline infrastructure. In addition, anticipated impacts associated with drilling 4 natural gas wells from this location were reviewed. The BCU 24-36-199 is approximately 0.6 miles from the proposed BCU 33-30-198 well pad location and is approximately 0.9 miles from the proposed BCU 24-36-199 location. Because of the proximity of the two proposed well pad locations to the approved BCU 442-36-199 well pad, anticipated impacts are similar among the proposed and approved well pad locations.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Two alternatives (Proposed Action and No Action Alternative) were analyzed in DOI-BLM-CO-110-2012-0140-EA. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of

BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Review by BLM White River Field Office (WRFO) specialists in document DOI-BLM-CO-110-2012-0140-EA did not indicate recent endangered species listings and no indication was given to show an updated list of BLM-sensitive species that would be affected by the Proposed Action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

It is assumed that all direct, indirect, and cumulative effects associated with the Proposed Action are similar in scope, intensity, duration and spatial extent as the direct, indirect, and cumulative effects that were addressed in DOI-BLM-CO-110-2012-0140-EA. All anticipated direct, indirect, and cumulative impacts associated with the Proposed Action were reviewed and mitigated in DOI-BLM-CO-110-2012-0140-EA.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

The public involvement with this project was done by posting it on a list of pending NEPA documents on the BLM WRFO's White River NEPA Register on 11/6/2013. As of 12/5/2013, no comments or inquiries have been received.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 10/29/2013. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	10/29/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	11/12/2013
Heather Woodruff	Range Management Specialist	Special Status Plant Species	11/1/2013
Mary Taylor	Rangeland Management Specialist	Vegetation/Invasive and Non-native Species	12/9/2013

REMARKS:

Cultural Resources: BCU 33-30-198: The proposed well pad location, access route and assorted well tie pipelines have been inventoried at the Class III (100 percent pedestrian) level (Conner et al 2010 compliance dated 2/11/2011). There are no cultural resources identified in the proposed project area.

BCU 24-36-199: All or portions of the proposed well pad location, access route and various well tie pipelines have been inventoried at the Class III (100 percent pedestrian) level (Conner and Davenport 2007 compliance dated 7/18/2007, Conner et al 2010 compliance dated 2/11/2011, Montgomery and Wolfe 2000 compliance dated 1/25/2000) with all known cultural resources in the area avoided by the current proposal.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological Resources: Both proposed well pad locations with their associated pipeline routes and access routes are located in areas generally mapped as the Uintah Formation (Tweto 1979) which the BLM has classified as a Potential Fossil Yield Classification (PFYC) 5 formation. Should it become necessary to excavate into the underlying sedimentary rock formation to level the well pad, excavate any pits, level any roads or bury any of the well tie pipelines there is a potential to impact scientifically noteworthy fossil resources.

Threatened and Endangered Wildlife Species: All wildlife-related issues and concerns were adequately addressed in the original environmental assessment (DOI-BLM-CO-110-2012-0140-EA). A raptor survey for the BCU 33-30-198 location was conducted in June 2013. No nests were detected during the biological survey.

Threatened and Endangered Plant Species: BCU 33-30-198 wellpad and its pipeline route was surveyed by WestWater Engineering in 2013. No special status plant species (SSPS) were observed at the time of the survey. However, 114 acres of suitable habitat for *Physaria congesta* was mapped during the survey. Suitable habitat was mapped on the well pad location, parts of the pipeline route and in the surround areas. The closest *Physaria congesta* occupied habitat is found on Pinto Mesa 3.5 miles to the southeast of the proposed project. The closest *Physaria obcordata* occurrence is 8.4 miles along Yellow Creek located to the west of the proposed location.

BCU 24-36-199 wellpad and its pipeline route was surveyed in 2012 by WestWater Engineering. No special status plant species (SSPS) were observed at the time of the survey. However, 355.5 acres of moderate suitable habitat for *Physaria* species was mapped during the survey. Suitable habitat was mapped on the well pad location, adjacent to parts of the pipeline and access routes and in the surround areas. The closest *Physaria congesta* occupied habitat is found near Duck Creek approximately 2.25 miles to the south of the project area. The project area does not appear to be suitable for *Physaria obcordata*. Most suitable habitat for *Physaria congesta* was mapped in pinyon/juniper woodlands and mountain shrubland ecosystem communities.

At the time of the surveys no SSPS plants were observed on the Proposed Action locations. There should be no conceivable direct impacts to either of the federally listed *Physaria* species because of the distance of the Proposed Action to the nearest known population. Due to the distance from known populations, it is unlikely there will be any direct impacts to either sensitive species. However, there is the potential that either of the threatened *Physaria* species could

expand their range into previously unoccupied suitable habitats. The analysis of impacts and conservation measures analyzed in DOI-BLM-CO-110-2012-0140-EA are sufficient for this analysis as well.

Vegetation and Invasive and Non-native Species: Impacts to vegetation communities are largely the same as analyzed in BLM-CO-110-2012-0140-EA. Applicant committed mitigation measures are addressed in the Surface Use Plan (SUP) and the Master SUP addressed for that document. White River Field Office reclamation practices have been modified to further reduce impacts and risks to affected vegetation communities from invasive or non-native plant species. Updated mitigation practices are listed below.

References Cited:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources on Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E., and Barbara Davenport

2007 Class III Cultural Resources Inventory for the Ryan Gulch to Barcus Creek pipeline Project in Rio Blanco County, Colorado, for Williams Production RMT. Grand River Institute, Grand Junction, Colorado. (07-11-19: RB.LM.R1037)

Conner, Carl E., Barbara Davenport and James C. Miller

2010 Class III Cultural Resource Inventory for the Barcus Creek unit (3065 acres) in Rio Blanco County, Colorado, for Williams Production RMT Company. Grand River Institute, Grand Junction, Colorado. (11-1-02: RB.LM.R1230)

Montgomery, Keith R. and Michael S. Wolfe

2000 Cultural Resource inventory of Coastal Oil and Gas Corporation's Yellow Creek Four Well Locations, Rio Blanco County, Colorado. Montgomery Archaeological Consultants, Moab, Utah. (00-131-02: SHPO # RB.LM.R401)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the 0

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Brett Smithers

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

12/23/13

ATTACHMENTS:

Figure 1. Project area map.

Figure 2. Project area map with 2011 NAIP imagery.

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

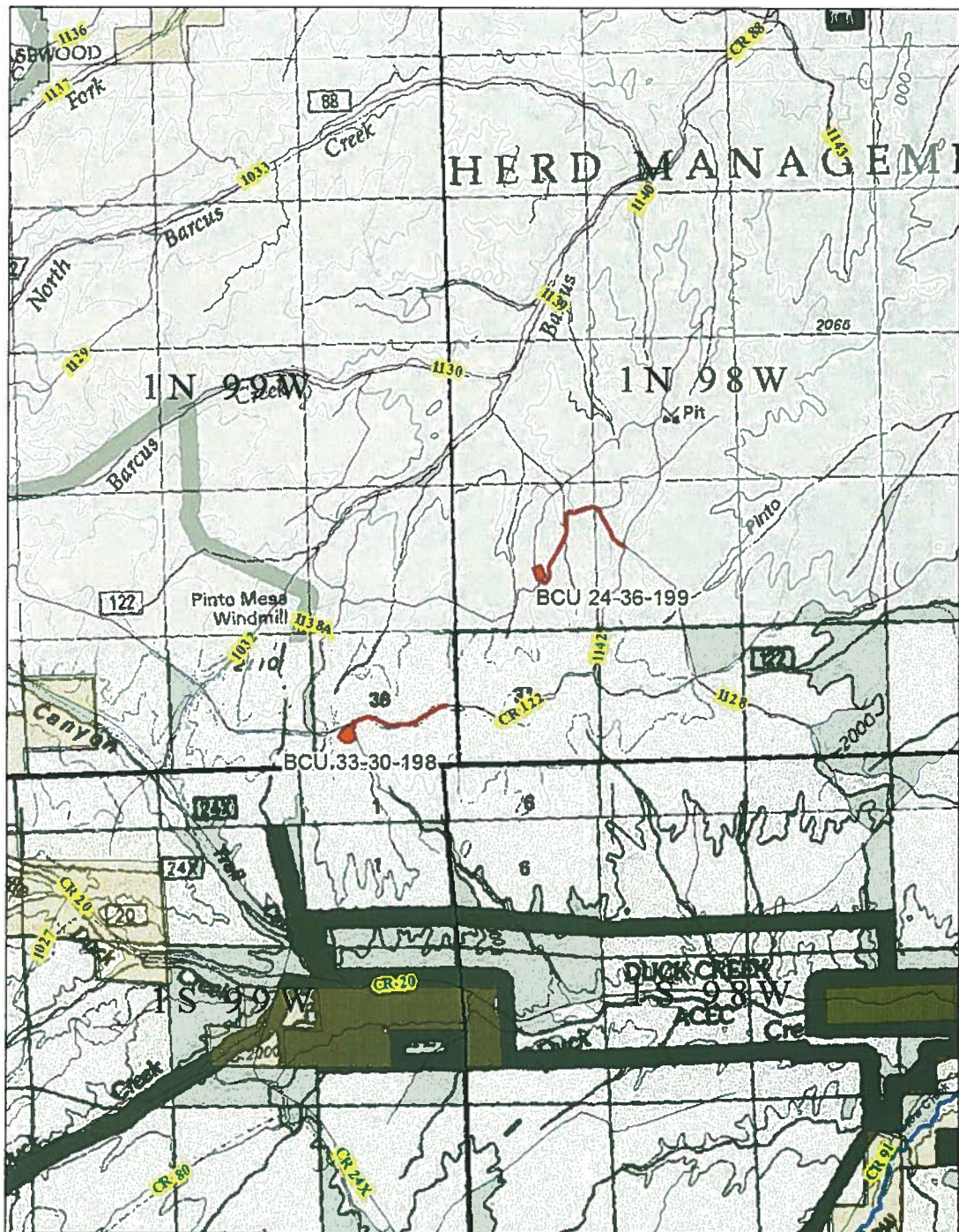


Figure 1. The figure above illustrates the geographic location of the proposed well pads (symbolized as red polygons) and the proposed pipeline and road corridors, which are symbolized as red lines.

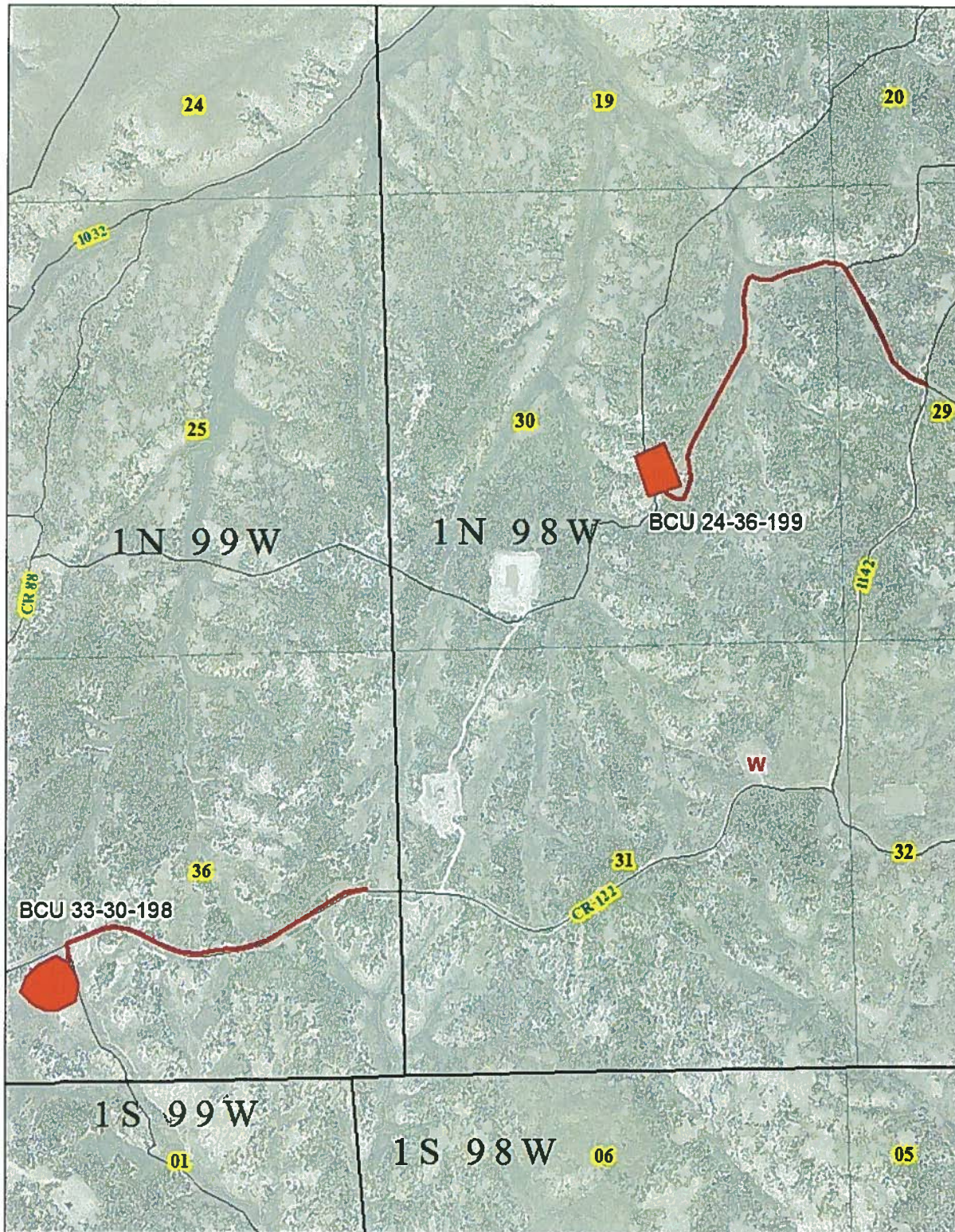


Figure 2. The figure above illustrates the geographic location of the proposed well pads (symbolized as red polygons) and the proposed pipeline and road corridors, which are symbolized as red lines. In addition, existing disturbance and existing road and pipeline corridors are included.

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DECISION RECORD

PROJECT NAME: WPX BCU Pads 33-30-198 and 24-36-199

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-110-2014-0009-DNA

DECISION: It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2014-0009-DNA, authorizing the construction and maintenance of the BCU 33-30-198 and BCU 24-36-199 well pad locations, associated road and pipeline infrastructure, and drilling the proposed four wells at these two sites.

MITIGATION: The following mitigation was identified in DOI-BLM-CO-110-2012-0140-EA and applies to the Proposed Action:

Timing Limitations

- 1) If the project is not initiated within 3 years of the biological survey, all suitable habitat must be re-surveyed. The results of the survey must be provided to the BLM before further ground disturbing activities occur. If occurrences of either federally threatened *Physaria* plant species are found to occur within 600 m of the Proposed Action, then Section 7 consultation with the U.S. Fish and Wildlife Service must be initiated. The results of the consultation may require further mitigation measures to be implemented in the project design.
- 2) Vegetation removal associated with well pad, road and pipeline development will take place outside the migratory bird nesting season of May 15 through July 15.

Pre-Construction Activities and Notifications

- 3) Paint and maintain all above ground facilities Shadow Gray, consistent with the BLM Standard Environmental Color Chart. Initial painting will occur within six months of installation.

Resource-Specific Mitigation During Construction, Drilling, and Production:

Air Quality

- 4) WPX will limit unnecessary emissions from point or nonpoint pollution sources and prevent air quality deterioration from necessary pollution sources in accordance with all applicable state, federal and local air quality law and regulation.

- 5) WPX will treat all access roads with water and/or a chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.

Soils

- 6) In order to protect rangeland health standards for soils, erosion features such as rilling, gully, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the Authorized Officer (AO) and by submitting a plan to assure successful soil stabilization with BMP's to address erosion problems.
- 7) All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the AO.

Range Management

- 8) Any range improvement projects such as fences, water developments, cattleguards, gates, or other livestock handling/distribution facilities that are damaged or destroyed either directly or indirectly as a result of implementation of the Proposed Action shall be promptly repaired or replaced by the applicant to restore pre-disturbance functionality.
- 9) The applicant shall notify the permittee authorized to graze livestock within the project area or the WRFO Range Management staff of planned construction activities 72 hours prior to beginning construction.

Surface and Ground Water Quality

- 10) To protect surface waters below the project area, keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring runoff and summer convective storms. Provide adequate drainage spacing to avoid accumulation of water in ditches or on road surfaces.
- 11) Install culverts and low-water crossings with adequate armoring of inlet and outlet. Patrol areas susceptible to road or watershed damage during periods of high runoff.
- 12) Locate drainage dips and drainage ditches in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps. Provide adequate spacing to avoid accumulation of water in ditches or dips.
- 13) When drilling to set the conductor and surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).

Wild Horses

- 14) Prior to surface-disturbing activities, WPX and/or their contractors should determine if wild horses are present in the vicinity of proposed project area. During the spring foaling period, between March 1 and June 15, if BLM determines wild horses are in the vicinity of proposed development, development activities may be delayed for a specified 60-day period from within the window of March 1 through June 15, as outlined by the White River ROD/RMP, to reduce impacts during this sensitive time period. Further, project activities may need to be adjusted around a wild horse gather if scheduled during the same time as the gather. The lessee may also be required to perform special conservation measures within this area including: a) habitat improvement projects in adjacent areas, if development displaces wild horses from critical habitat; b) replacement of disturbed watering sites with an equal source of water having equal utility; and c) activity/improvements providing for unrestricted movement of wild horses between summer and winter ranges.
- 15) If cattle guards are placed on this location they will be “horseproof” cattle guards that are constructed and maintained, as directed by the BLM, to reduce the potential for injuries to wild horses. Specifically, sucker rod or rebar should be centered between the rails and welded at each cross member for the entire length and width of the cattle guard. “Horseproof” cattle guards would be painted a dark color to help with snow melt.
- 16) In wild horse use area while the trenches are open, prior to the burial of the pipeline, the trench should be inspected daily to reduce the potential for wild horses to become trapped should they fall into a trench.
- 17) Should the Proposed Action occur simultaneous with a wild horse gather, all project-related traffic would need to be coordinated with the BLM and the contractor for the gather.
- 18) To minimize the incidents of young foals becoming dislocated from their mares, construction, drilling and receiving crews would be required to slow or stop when wild horses are encountered, allowing bands to move away at a pace slow enough so that the foals can keep pace and are not separated.

Cultural Resources

- 19) WPX is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
- 20) If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. WPX will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. WPX, under guidance of the BLM, will implement the

mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

- 21) Pursuant to 43 CFR 10.4(g), WPX must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), WPX must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

Paleontological Resources

- 22) WPX is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
- 23) If any paleontological resources are discovered as a result of operations under this authorization, WPX or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
- 24) Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

Hazardous Materials

- 25) Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices.
- 26) All lessees and/or operators and right-of-way holders shall comply with all federal, state and/or local laws, rules, and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.

- 27) Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.
- 28) When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).
- 29) Through all phases of oil and gas exploration, development, and production, all lessees and/or operators and holders of rights-of-way shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of hazardous material.
- 30) All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
- 31) Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
- 32) As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.
- 33) As a reasonable and prudent lessee/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the lessee/operator or right-of-way holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.
- 34) With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the right-of-way holder and the

lessee/operator, and through the right-of-way holder and lessee/operator, its agents, employees, subcontractors, successors and assigns, stipulate and agree to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission.

Fire Management

- 35) When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information. The reporting party, or a representative of, should remain nearby, in a safe location, in order to make contact with incoming fire resources to expedite actions taken towards an appropriate management response.
- 36) The applicant and contractors will not engage in any fire suppression activities outside the approved project area. Accidental ignitions caused by welding, cutting, grinding, etc. will be suppressed by the applicant only if employee safety is not endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used the applicant must notify incoming fire resources on extinguisher type and the location of use.
- 37) Natural ignitions caused by lightning will be managed by Federal fire personnel. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Office Manager.
- 38) To avoid jack pots of fuel on site, vegetation which is not to be used for storm water management or erosion control shall be chipped and mixed with topsoil for future redistribution.

Realty Authorizations

- 39) All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing facility ROW holders.
- 40) The holder shall provide the BLM AO with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in Universal Transverse Mercator (UTM) Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata

from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

- 41) Construction activity should take place entirely within the areas authorized in the ROW grant and temporary use permit.
- 42) At least 90 days prior to termination of the ROW, the holder shall contact the AO to arrange a joint inspection of the ROW. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material (e.g., gravel or concrete), as well as final recontouring, spreading of topsoil, and seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

Reclamation and Weed Management

- 43) BLM recommends the use of WRFO modified native seed mix #3 for all reclamation in the project area.

White River Field Office Modified Native Seed Mix #3

Species	Seeding Rate Pure Live Seed (PLS)*
Western wheatgrass (Rosana)	3 lb/ac. PLS
Indian ricegrass (Rimrock)	3 lb/ac. PLS
Bluebunch wheatgrass (Whitmar)	3.5 lb/ac. PLS
Needle and Thread Grass	2.5 lb/ac. PLS
Scarlet Globemallow	0.5 lb/ac. PLS
Sulphur Flower Buckwheat	1.5 lb/ac. PLS
Lewis Flax (Maple Grove)	1 lb/ac. PLS
Northern Sweetvetch	2 lb/ac. PLS
Sulphur Flower Buckwheat	1 lb/ac. PLS

* Seeding rate is for drilled seeding; for broadcast seeding the rate should be doubled

- 44) The operator will be required to manage weeds that establish on the project area.
- 45) If herbicides are to be used to manage weeds, an approved pesticide use proposal (PUP) will need to be completed and submitted to the WRFO before any application can take place.
- 46) Construction equipment will be thoroughly washed prior to being brought on site to minimize the risk of weed seeds and propagules being brought to the project area.
- 47) In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM. Trees should first be used in reclamation efforts and then any excess material made available for firewood or other uses.

- a) First, woody material will be chipped and stockpiled for later use in reclamation. Woods chips can be incorporated into the topsoil layer to add an organic component to the soil to aid in reclamation success.
 - b) Woody materials, not used for woods chips, required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Redistribution of woody debris will not exceed 20-30% ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use.
 - c) Woody materials that are to be stockpiled along margins and not used in the topsoil should not exceed pile dimensions of 8 x 8 x 8 feet. Materials used in the stockpiles should be a variety of diameters, but should be no smaller than 6 inches in diameter. Additionally the piles should be no less than 30 feet apart.
- 48) Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public.
- 49) During pad, road, and pipeline layout, consideration will be given to maintaining old-growth stands in their entirety. Old-growth stands will be those with trees containing individuals of age greater than 300 years and having old-growth stature and development.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN: This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT: Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 5/21/2013. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 6/21/2013.

RATIONALE: The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. Approval of these two locations and associated wells allows for development of Federal oil and gas minerals.

ADMINISTRATIVE REMEDIES:

State Director Review: Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal: Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

12/23/13